

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Housing Department - A.P.State Housing Corporation Limited – Sri P.Phaneendrudu Work Inspector / Godown I/c. – Nellore District - ‘Dismissal’ from service –Appeal against dismissal – Allowed – Orders – Issued.

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Housing (U&IAY.A2) Department

G.O.Rt.No. 131

Dated: 26-6-2009.
Read the following:-

1. From the Managing Director, APSHCL, Proceedings Letter No.7580/ APSHCL / Vig. (3) / NLR / 2007, Dt: 1.10.2008.
2. From Sri P.Phaneendrudu Work Inspector / Godown I/c, Nellore District, Appeal dt: 10.11.2008.
3. Govt. Letter No. 3898/U&IAY-A2/ 2008-1, Dt: 29.11.2008.
4. From the Managing Director, APSHCL, Letter No.7580/ APSHCL / Vig. (3) / NLR / 2008, Dt: 22.12.2008.

ORDER:

In the reference 1st read above, the Managing Director, A.P.State Housing Corporation Limited awarded punishment of Dismissal of service on Sri P.Phaneendrudu, Work Inspector / Godown I/c, Nellore besides recovery of Rs.2.81 Lakhs with 12% interest per annum for the irregularities committed by him while working in Nellore District. In the reference 2nd read above, Sri P.Phaneendrudu , Work Inspector, A.P.State Housing Corporation Limited, Nellore (dismissed from service), among other things, made an appeal to Government to set-aside the proceedings No.7580/APSHCL/ Vig.(3)/ NLR/ 07, Dt: 1.10.2008 of the Managing Director, A.P.State Housing Corporation Limited, regarding dismissal from service, and to do justice.

2. The appeal of Sri P.Phaneendrudu has been examined in consultation with the Managing Director, A.P.State Housing Corporation Limited, and it is found that.

- a) The Findings as expressed in the report mentioned that the Charged Officer had issued the cement to CRO and CSR, the AE (H), has signed on some of them.
- b) The responsibility of verification and issue of cement rests jointly with Work Inspector (charged officer), Assistant Engineer (Housing) and the Deputy Executive Engineer (Housing). The report itself mentioned that the two Officers apart from Work Inspector have also not verified nor have signed.
- c) There is no mention of action taken against the Assistant Engineer (Housing) and Deputy Executive Engineer (Housing) in this case based on the report of the Enquiry Officer.
- d) The prima facie approach adopted in this case, as seen by the Government in a few more such cases is that to fix the blame on Work Inspector alone without going into the defaults of other Officers who are jointly and equally responsible.
- e) The Enquiry Officer has failed to inquire the beneficiaries for whom the cement was reported to have been issued.

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3. Government viewed that dismissal of the Charged Officer is disproportionate dispensation of justice without proper reference to the magnitude of the irregularities and joint responsibility of other Senior Officers for protection of Government properties. It is not proper to punish one employee only and have therefore decided that the proceedings of dismissal issued by the Managing Director vide reference 1st read above be cancelled without prejudice to a fair and proper enquiry and action against all the employees responsible in this case and Sri P.Phaneendrudu, Work Inspector reinstated to duty and wherever necessary, recovery procedures resorted.

4. Accordingly, Government hereby set aside the Proceedings 1st read above of the Managing Director, A.P.State Housing Corporation Limited, Hyderabad and direct him to re-instate Sri P.Phaneendrudu into service and to post him to other than Nellore District without prejudice to a fair and proper enquiry and to initiate action against all the employees responsible in this case, subject to recovery procedures resorted wherever necessary.

5. The Managing Director, A.P.State Housing Corporation Limited, Hyderabad. shall take necessary further action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.SAMUEL
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Managing Director,
A.P.State Housing Corporation Limited, Hyderabad.
Copy to: The individual through Managing Director,
A.P.State Housing Corporation Limited, Hyderabad.
SC/SF.

//FORWARDED :: BY ORDER//

SECTION OFFICER